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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/967,242	09/28/2001	Bertram Geck	2001 P 18013 US	6613

7590 12/22/2003

Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
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EXAMINER

LEE, JOHN J

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/967,242

Applicant(s)

GECK ET AL.

Examiner

JOHN J LEE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12 . 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. The Applicant's arguments/amendment received on September 15, 2003 have been carefully considered but they are not persuasive because the teaching of the cited reference as set forth in the previous rejection reads on all claimed limitation as claims 1 – 7 and 9 – 24. Thus, the finality of this Office Action is deemed proper.

Re Claims 1, 9 and 17: The Applicant simply argues that the Cox et al. (US Patent number 6,256,515) does not teach the claimed invention “at least one base station”. However, Cox teaches the wireless network (40 in Fig. 1) includes mobile switching center (60) communicating with plurality base stations as see in Fig. 1.

Re Claim 1: The Examiner respectfully disagrees with Applicant's assertion that the Cox does not teach the claimed invention “whether the rules apply depends at least on whether the at least one terminal is wirelessly connected to the at least one base station but otherwise does not depend on the location of the at least one terminal”. Contrary to Applicant's assertion, the Cox teaches the claimed limitation that whether the rules apply (the destination telephone number is not among those listed in the call management database record corresponding to the controlled phone's MIN) depends at least on whether the at least one terminal (20 in Fig. 1) is wirelessly connected to the at least one base station (see the base stations in Fig. 1) (Fig. 1, 3 and column 11, lines 29 – 47 where the steps 324 through 326 or 316 in Fig. 3 teaches the whether the call approved (depending on the destination telephone number is not among those listed in the call management database record corresponding to the controlled phone's MIN) by the

organization, informing to caller that the call is not approved or identical to that issued the call connection) but otherwise does not depend on the location of the at least one terminal (Fig. 1 teaches each base station wirelessly communicates with mobile stations within predetermined coverage area, therefore it could be applied any mobile stations within coverage area).

Re Claim 9: The Applicant argues that the Cox does not teach the claimed invention “accessing at least one database to look up rules governing restriction on a base station connected to the one of a plurality of terminals” However, Cox teaches a database (120a in Fig 1) in call management center (100) look up the destination telephone number is not among those listed in the call management database record corresponding to the controlled phone’s MIN on a base station (Fig. 1) connected (outgoing call) to the one of mobile stations (20 in Fig. 1) (see Fig. 1, 3 and column 11, lines 15 – 58), regarding the claimed invention.

Re Claim 17: The Examiner also respectfully disagrees with Applicant’s assertion that the Cox does not teach the claimed invention “connecting the terminal for the outgoing communication if allowed, where the allowance depends at least on the restriction on the base station” Contrary to Applicant’s assertion Fig. 3 teaches if the call approved (allowed) depending on the destination telephone number is not among those listed in the call management database record corresponding to the controlled phone’s MIN (the restriction), the organization issued the call connection (see Fig. 1, 3 and column 11, lines 15 – 58, also see the response to argument in claims 1 and 9), regarding claimed invention.

Applicant's attention is directed to the rejection below for the reasons as to why the claimed limitation is not patentable.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1 – 7 and 9 – 24** are rejected under 35 U.S.C. 102(b) as being anticipated by Cox et al. (US Patent number 6,256,515).

Regarding **claim 1**, Cox discloses that a system for restricting features (the destination telephone number is not among those listed in the call management database record corresponding to the controlled phone's MIN) in a wireless network (Fig. 1 and column 11, lines 15 – 65). Cox teaches that at least one base station (the wireless network includes plurality base stations as see in Fig. 1). Cox also teaches that at least one database (62, 120a in Fig. 1) comprising representations of rules for restriction on features (the destination telephone number is not among those listed in the call management database record corresponding to the controlled phone's MIN) of at least one terminal (20 in Fig. 1) wirelessly connected (40 in Fig. 1) to the at least one base station (in Fig. 1) (Fig. 1, 3 and column 10, lines 10 – column 11, lines 58), wherein whether the rules apply depends at least on whether the at least one terminal (20 in Fig. 1)

is wirelessly connected to the at least one base station (see Fig. 1) but otherwise does not depend on the location of the at least one terminal (Fig. 1 teaches each base station wirelessly communicates with mobile stations within predetermined coverage area, therefore it could be applied any mobile stations within coverage area) (Fig. 1, 3 and column 10, lines 10 – column 11, lines 58).

Regarding **claim 2**, Cox discloses that the restriction on features depends at least on the time of day (Fig. 1, 3 and column 8, lines 32 – column 9, lines 57).

Regarding **claim 3**, Cox discloses that the restriction on features depends at least on the priority of the at least one terminal (Fig. 1, 3 and column 10, lines 10 – column 11, lines 58).

Regarding **claim 4**, Cox discloses that the restriction on features depends at least on whether a communication is incoming or outgoing (Fig. 2, 3 and column 5, lines 27 – column 6, lines 36).

Regarding **claim 5**, Cox discloses that the restriction on features depends at least on whether a communication is designated as an emergency (Fig. 1, 3, column 11, lines 14 – column 12, lines 53, and column 1, lines 12 - 67).

Regarding **claim 6**, Cox discloses that the terminal is a wireless telephone (Fig. 1 and column 4, lines 23 – 49).

Regarding **claim 7**, Cox discloses that the restriction on features is that the terminal may not ring (Fig. 1, 3, column 6, lines 6 – 19, and column 9, lines 21 – 65).

Regarding **claim 9**, Cox discloses all the limitation, as discussed in claim 1. Furthermore, Cox further discloses that determining which one of a plurality of terminals

is associated with an incoming communication (abstract, Fig. 1, 3, and column 2, lines 42 – column 3, lines 55);

accessing at least one database to look up rules governing restriction on a base station connected to the one of a plurality of terminals (Fig. 1, 3 and column 10, lines 10 – column 11, lines 58);

activating the one of a plurality of terminals if allowed, wherein the allowance depends at least on the restriction on the base station (Fig. 1, 3 and column 7, lines 44 – column 8, lines 67).

Regarding **claim 10**, Cox discloses all the limitation, as discussed in claims 1 and 9. Furthermore, Cox further discloses that the allowance depends at least on the restriction on the one of a plurality of terminals (Fig. 1, 3 and column 7, lines 44 – column 8, lines 67).

Regarding **claim 11**, Cox discloses all the limitation, as discussed in claims 8 and 9.

Regarding **claim 12**, Cox discloses all the limitation, as discussed in claims 1 and 5.

Regarding **claim 13**, Cox discloses all the limitation, as discussed in claims 1 and 2.

Regarding **claim 14**, Cox discloses that the allowance on features depends at least on the format of communication (Fig. 1, 3 and column 10, lines 10 – column 11, lines 58).

Regarding **claim 15**, Cox discloses all the limitation, as discussed in claims 1 and 6.

Regarding **claim 16**, Cox discloses all the limitation, as discussed in claims 1 and 7.

Regarding **claim 17**, Cox discloses all the limitation, as discussed in claim 1. Furthermore, Cox further discloses that accessing at least one database to look up rules governing restriction on a base station receiving a signal from a terminal associated with a request for an outgoing communication (Fig. 1, 3 and column 5, lines 40 – column 6, lines 65); and

connecting the terminal for the outgoing communication if allowed, wherein the allowance depends at least on the restriction on the base station (Fig. 1, 3, column 7, lines 44 – column 8, lines 67, and column 5, lines 40 – column 6, lines 65).

Regarding **claim 18**, Cox discloses all the limitation, as discussed in claims 10 and 17.

Regarding **claim 19**, Cox discloses that the allowance on features depends at least on whether the terminal is inside a predetermined room (i.e. a police department, which is a predetermined room see column 1, lines 12 – 25).

Regarding **claim 20**, Cox discloses all the limitation, as discussed in claims 12 and 17.

Regarding **claim 21**, Cox discloses all the limitation, as discussed in claims 13 and 17.

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Regarding **claim 22**, Cox discloses all the limitation, as discussed in claims 14 and 17.

Regarding **claim 23**, Cox discloses all the limitation, as discussed in claims 15 and 17.

Regarding **claim 24**, Cox discloses all the limitation, as discussed in claims 11 and 17.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pepe et al. (US Patent number 5,742,668) discloses Electronic Messaging Network.

Schmidt et al. (US Patent number 6,215,994) discloses Over the Air Programming of Mobile Station.

Reichelt et al. (US Patent number 6,295,447) discloses Enabling the Control of Execution of Features in a Telecommunications Network.

Sanchez (US Patent number 6,449,479) discloses Mobile Subscriber Service Modification.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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or faxed to:

(703) 308-9051, (for formal communications intended for entry)

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Or:

(703) 308-6606 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to **John J. Lee** whose telephone number is **(703) 306-5936**.
He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00
pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay
Maung**, can be reached on **(703) 308-7745**. Any inquiry of a general nature or relating to
the status of this application should be directed to the Group receptionist whose telephone
number is (703) 305-4700.

J.L
December 3, 2003


NAY MAUNG
SUPERVISORY PATENT EXAMINER

John J Lee